

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 22-11747-MDC
Elizabeth Miller	: Chapter 13
Debtor	:
	:
American Credit Acceptance	:
Movant	:
vs.	:
Elizabeth Miller	:
Debtor/Respondent	:
and	:
Kenneth E. West, Esquire	:
Trustee/Respondent	:

MOTION FOR RELIEF FROM AUTOMATIC STAY, UNDER 11 U.S.C. § 362

Movant, American Credit Acceptance, by its Attorneys, Hladik, Onorato & Federman, LLP, hereby requests relief from the Automatic Stay and leave to proceed with its State Court rights provided under the terms of the Vehicle loan contract.

1. Movant is American Credit Acceptance (“Movant”).
2. Debtor, Elizabeth Miller (“Debtor”) filed a Petition for Relief under Chapter 13 of the Bankruptcy Code on July 01, 2022.
3. Debtor, Elizabeth Miller, purchased a 2017 Dodge Journey, VIN# 3C4PDCBG4HT589650 (the “Vehicle”) pursuant to a Retail Installment Contract and Security Agreement dated July 10, 2019 in the original principal amount of \$17,835.85 (the “Contract”), a copy of which is attached to Movant’s Proof of Claim #7 on the Claims Register.
4. Kenneth E. West, Esquire is the Trustee appointed by the Court.
5. Movant is the holder of a security interest in the aforesaid Vehicle, which interest has been perfected through notation on the Pennsylvania Certificate of Title. A true and correct copy of the Lien and Title Information Report is attached to Movant’s Proof of Claim #7 on the Claims Register.
6. Movant has not received the following monthly post-petition payments:

Regular Monthly Payments 07/24/2022 – 01/24/2024 (\$410.17/each).....	\$7,793.23
Attorney’s Fees/Costs of Motion:.....	\$499.00
Total Amount Due:.....	\$8,292.23

7. On, or around, January 2, 2024, Movant received notice from the Philadelphia Parking Authority that the Vehicle had been impounded for violation(s) of the Philadelphia Traffic Code on or around December 31, 2023. Accordingly, the Vehicle is not adequately protected. A copy of the notice is attached as Exhibit "A" and is hereby incorporated by reference.

8. The approximate total amount necessary to pay off the Vehicle as of January 26, 2024 is \$6,370.01.

WHEREFORE, Movant respectfully requests that this Court enter an Order:

a. Modifying the Automatic Stay under 11 U.S.C. § 362 of the Bankruptcy Code with respect to the Vehicle as to permit Movant to repossess on its Contract and allow Movant or any other purchaser at auction to take legal or consensual action for enforcement of its right to possession of, or title to; and

b. Granting any other relief that this Court deems equitable and just.

Respectfully Submitted,

Date: 02/06/2024

/s/ Stephen M. Hladik, Esquire
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